IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9180 OF 2007

Rochem Separation Systems (India) Pvt. Ltd. ..Petitioners.

Vs.

The Union of India and ors. ..Respondents.

Mr. Prakash Shah i/by PDS Legal for the Petitioners.

Mr. Y.R.Mishra with P. Vyas for the Respondent-Union of India.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 20TH DECEMBER,2007.

PC :

1. Rule.

2. Heard forthwith.

3. It is the grievance of the petitioners that earlier in respect of similar contract the Commissioner of Customs (Import) have held in their favour. The revenue has moved CESTAT. The learned counsel states that there is no stay.

4. In the instant case by communication dated 24.10.2007 the Dy. Commissioner of Customs (Import) has refused to grant provisional registration as the matter is pending before CESTAT.

5. Considering the fact that the final registration was

granted, in our opinion, ends of justice would be met if the respondent No.3 is directed to grant provisional registration to the petitioners subject to any order to be passed in the Appeal.

6. Rule made absolute accordingly. No order as to costs.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**